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New York

President:	Sir David Hannay	(United Kingdom of Great Britain and Northern Ireland)
Members:	Argentina	Mr. Cardenas
	Brazil	Mr. Sardenberg
	China	Mr. Li Zhaoxing
	Czech Republic	Mr. Kovanda
	Djibouti	Mr. Olhaye
	France	Mr. Mérimée
	New Zealand	Mr. Keating
	Nigeria	Mr. Gambari
	Oman	Mr. Al-Khussaiby
	Pakistan	Mr. Chattha
	Russian Federation	Mr. Kozyrev
	Rwanda	Mr. Bakuramutsa
	Spain	Mr. Yañez-Barnuevo
	United States of America	Mrs. Albright

Agenda

The situation between Iraq and Kuwait

94-86678 (E)

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The meeting was called to order at 11.25 a.m.

Expression of welcome

The President: I should like, at the outset, to acknowledge the presence at the Council table of the Minister for Foreign Affairs of the Russian Federation, His Excellency Mr. Andrei Kozyrev. On behalf of the Council, I extend a warm welcome to him.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

The President: In accordance with the decision taken at the 3438th meeting, I invite the representative of Kuwait to take a place at the Council table.

At the invitation of the President, Mr. Abulhasan (Kuwait) took a place at the Council table.

The President: I should like to inform the Council that I have received a letter from the representative of Iraq, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I welcome the Deputy Prime Minister of Iraq and invite him to take a place at the Council table.

At the invitation of the President, Mr. Aziz (Iraq) took a place at the Council table.

The President: The Security Council will now continue its consideration of the item on its agenda.

The first speaker on my list is the Minister for Foreign Affairs of the Russian Federation, His Excellency Mr. Andrei Kozyrev, upon whom I now call.

Mr. Kozyrev (Russian Federation) *(interpretation from Russian):* I should like to take advantage of this opportunity to share with the Council my impressions concerning the trip I have just completed to the region of the Persian Gulf and my talks with the leaders of a number of States, which I shall list in the order in which I visited them: Iraq, Kuwait, the United Arab Emirates and Saudi Arabia. I should also like to share with the Council some views on the work of the Security Council itself.

The trip to the countries of the Gulf was undertaken in accordance with a mission entrusted to me by the President of Russia, Boris Nikolayevich Yeltsin, with the aim of defusing the crisis and returning the situation to its political channel. The recent actions by Iraq in building up its military presence in the south of the country created a dangerous situation, and once again there was the smell of gunpowder over the region. From the very outset we very firmly expressed our negative attitude to this. I should like to note at the same time that a number of States, including Russia, had information concerning movements of troops planned by Iraq. There were reports concerning upcoming manoeuvres in the Iraqi press as well, and there were reports that Iraq was not planning to attack Kuwait. That information was available to many States. At the same time, we understood the intense concern felt by Iraq's neighbours over the troop movements, and first and foremost by Kuwait, taking into account the tragic experience of the past.

Thus the events demanded an immediate reaction, but all the circumstances needed to be taken into account in determining the parameters of that reaction. We immediately expressed ourselves in favour of taking decisive measures to prevent an escalation of tensions and - I once again wish to emphasize - to return the situation to normal channels through political and diplomatic efforts. Moreover, in so doing, from the very outset - and I take note of this as a positive element - we acted in close and continuous contact with our partners, including the permanent and other members of the Security Council. Among those contacts I can note those on the highest level, including telephone conversations, between President Yeltsin and the President of the United States, Bill Clinton. In one of those conversations - and I am particularly gratified to note this - a positive assessment was given of my own idea of making a trip to the region. In addition, the basic objectives were laid out: I shared my plans with my colleagues the heads of the Ministries of Foreign Affairs of the United States, France, China and many other countries, and with the Secretary-General of the United Nations, Mr. Boutros-Ghali.

Our position was clearly and firmly set out to the President of Iraq, Saddam Hussein. We pointed out to him all three of its major elements: a condemnation of the Iraqi troop movements, a declaration of the need for their withdrawal, and a declaration that such actions must not be repeated in the future. I note with satisfaction that all those three elements are reflected in resolution 949 (1994), adopted yesterday by the Security Council. The merits of the resolution consist in the fact that it puts an end to this crisis and is directed not towards military escalation - which, as we became convinced after the negotiations in the capitals of the States of the region, nobody wants - but, rather, towards preventing such escalation and strengthening stability. Thanks to the amendments that were made, by the Russian delegation among others, the resolution was enriched. It is aimed at diplomatic methods and points the way to a return to political channels. All of this is a cause of satisfaction to me.

Of course, in the process of work on the draft resolution, there were some moments of haste and some rather nervous times; but what is most important is the result. Moreover, we have shown both restraint and flexibility, particularly in reacting to the direct appeals of the leaders of Kuwait, the United Arab Emirates and Saudi Arabia, for whom it was important that the Security Council demonstrate its ability to take a balanced and unanimous decision on a situation affecting the very essence of stability in the region. It was precisely the interest of the region and stability that we regarded as the cornerstone of our work on the draft resolution and as the factor determining our vote.

The Security Council has acquired considerable and, let us say frankly, very complex experience in its relations with Iraq. Each time the Council has demonstrated firmness and a consistent position, this has promoted a shift by the Iraqi leadership to a position of realism - as, in any case, it should. That circumstance played a significant role in our ability to achieve a positive decision by the Iraqi leadership concerning the withdrawal of troops from the south of Iraq, and thus make a positive contribution to the resolution of the present crisis.

Of course, one does not make such a trip every day. This, we could say, was a unique opportunity to talk with the leaders. We made use of it for another purpose, in addition to defusing the crisis itself. I refer to something that is of interest to the Security Council and has been of interest to it for a long time: progress towards a comprehensive settlement in the Persian Gulf.

Here, too, we note a definite positive turn. Iraq, for the first time officially, recognized the need for a positive resolution of the question of recognizing the sovereignty and borders of Kuwait, in accordance with Security Council resolution 833 (1993), without any preconditions. This is set down in writing in the joint document. In my view, it is significant that this document was given wide coverage in the Iraqi mass media. Thus its content, including those parts relating to the need to recognize Kuwait and its borders, is now known to the Iraqi people.

In the same way, this document includes the first acknowledgement that Iraq must comply with the relevant resolutions of the Security Council. Thus the people of Iraq were given an opportunity to understand clearly the fact that lifting the sanctions, which are having a serious effect on ordinary people and on the country's economic situation, is linked not to military efforts or to the struggle against a foreign plot, but to one thing only - strict implementation of the relevant resolutions of the Security Council. This alone made the trip to Baghdad worthwhile.

I wish once again to emphasize that none of these provisions has conditions attached or is linked to the present crisis. This is a contribution to the Security Council's future work towards finding a solution to this long-festering problem. Unfortunately, I cannot fail to note that some of my colleagues were hasty in making their assessments. Moreover, some of their judgements - as the authors of those judgements themselves recognize - were made even before they had had a chance to read the text of the joint declaration or the clarifications that we immediately sent to the capitals of the States concerned. I hope that these inadequate and misguided assessments can be written off as being a result of the intensity of the crisis and of the emotions that overcame all of us at that time. I hope that they are simply some of the inevitable obstacles on the path of partnership and are now things of the past.

In the course of further consideration of this question, the Security Council must be ready to take "Yes" for an answer. If Iraq really complies with all the demands in all the resolutions the current sanctions regime will cease to have any sense. This is one of the matters mentioned in the joint declaration, which says:

> "The Russian Federation affirms that, subject to Iraq's implementation of the relevant Security

Council resolutions, it will advocate the lifting of other sanctions." (*S/1994/1173, annex*)

Practically speaking, we believe that, following Iraq's official recognition of the sovereignty and borders of Kuwait, it would be possible to start the control period for long-term monitoring, in accordance with resolution 715 (1991) on the basis of the United Nations Special Commission's report of 7 October, which, on the whole, received a positive assessment in the Council.

In this connection, I should like to emphasize in particular that if, so far, the question of monitoring has not been linked to the recognition of Kuwait, which flows from the relevant resolutions of the Security Council, the joint declaration states the position more tightly, thus improving the interpretation. In other words, it is clearly stated that monitoring can begin after Iraq's official recognition of the sovereignty and borders of Kuwait. This greater clarity, in our view, improves the prospects and will promote the Security Council's ability to demonstrate greater determination in reacting to Iraq's actions. This means giving thought to a realistic programme for further action concerning implementation of the Council's resolutions on Iraq.

I believe that, if the crisis is ended and the conditions laid down in the resolution that the Security Council adopted on Saturday are fulfilled, it would be possible to begin long-term monitoring in about a month, and approximately six months after the beginning of this testing period - on condition, of course, that Iraq cooperated honestly with the United Nations - to take a decision on lifting the oil embargo, as laid down in paragraph 22 of resolution 687 (1991). Then, as Iraq complied with all the appropriate resolutions of the Security Council, the Council should of course consider lifting or mitigating the remaining sanctions.

In other words, we need to see and we need to propose prospects that would inspire the Iraqi leadership and the people of Iraq to comply strictly with all Security Council resolutions.

Since I do not often have the opportunity to speak in the Security Council, I should like to take this opportunity to share some views concerning the improvement of its activities in settling crisis situations and conflicts on a broader level.

I should like first of all to note with satisfaction that in our view the Council has over the last few years convincingly demonstrated its effectiveness and its ability to cope with many situations that cause concern among the international community. Solid experience has been gained and, in fact, a whole range of instrumentalities has been elaborated that has shown its effectiveness in exerting an impact on the parties to conflicts. To a great extent, this experience has been innovative, and I must express my admiration for the work of the diplomats here present, the Permanent Representatives and those who assist them, for their ability to find prompt and correct solutions, sometimes in the most unusual circumstances.

However, it is possible that this innovative element is linked to the fact that this acquired experience has both positive and negative features. That, incidentally, is characteristic of any human endeavour and of all that mankind undertakes. Both the positive and the negative elements, both achievements and setbacks, deserve thorough consideration in a collective manner to ensure that the Council works effectively.

Without claiming to be comprehensive or exhaustive, I should like to share with the Council some thoughts concerning an instrument such as sanctions. They have been and remain the most powerful non-military means of exerting an impact in accordance with the United Nations Charter on those who violate the international legal order. But like any powerful weapons, sanctions require a very careful and responsible attitude and their use must be very carefully directed. It is most important that the criteria to be taken into consideration should be the achievement of the goals set out by the Security Council, a solid legal basis, and consistency and rigour in the interpretation of decisions taken.

We believe that certain corrections must be made in the sphere of application of sanctions, primarily as regards developing and improving the machinery for applying and lifting sanctions. If we look at the experience we have acquired, we see a significant inconsistency. In some cases, sanctions are lifted as a kind of advance, counting on the fact that the situation will develop in accordance with the best possible scenario. In other cases, the question of lifting or suspending sanctions is connected to a great number of fact-finding missions of all kinds, the submission of reports and so on. For example, I noted that following the inauguration of the legally elected President of South Africa, Nelson Mandela, it was only some time afterwards that the Security Council took a decision to lift the sanctions, although we all saw on television the triumphant rejoicing over that historic event. Perhaps, in

that case, the Council could have reacted more promptly.

In a word, we see here a very varied and, in my view, not fully systematized practice in operation. This often lays the Security Council open to charges of "double standards", which, of course, is damaging to its prestige in the eyes of public opinion.

A new phenomenon has emerged: Sometimes we hear calls by one or another country for unilateral withdrawal from a sanctions regime. I think the Security Council could find a way of reaffirming what is an axiom of the United Nations Charter: that is, that decisions of the Council can be repealed only by the Council itself.

A number of interesting proposals concerning the use of sanctions were made in his statement to the General Assembly at its forty-ninth session by my colleague the Minister for Foreign Affairs of France, Mr. Alain Juppé. I think that these proposals point in the right direction. Sanctions are a kind of sentence passed by the international community, but, as distinct from clearly defined conditions for the end of periods of punishment provided for by the norms of criminal law, these elements in our case are very often missing.

At the same time, the very logic of law requires that clarity be introduced here. The Security Council should devote greater attention to ensuring that, when sanctions are adopted, a procedure is, at the same time determined for halting or lifting them, in accordance with the implementation of the relevant demands.

In addition, it should be noted that sanctions are not a punishment of peoples, but a reaction of the international community to concrete actions on the part of the ruling circles if they violate international law and order. That is why thought must be given to the question how sanctions may be aimed at political élites, thereby reducing to a minimum the sufferings of broad strata of the population, including its most vulnerable categories, which in fact have minimal means of exerting any impact on the taking of State decisions. In other words, thought should be given to the fact that sanctions should not punish the most those who are perhaps least of all capable of righting the situation.

I believe also that thought must be given to laying down clear humanitarian limits in determining sanctions. Clearly, the side-effects of sanctions on third countries should be taken into account more carefully, and attention should also be given to ensuring that those countries' neighbours, who are often already suffering from the conflict situation, should not find themselves, in addition, the victims of the implementation of sanctions. I believe, therefore, that in this area there is room for improvement.

Of course, with regard to sanctions, as in other cases, we must avoid using double standards, for example in carrying out peace-keeping operations, operations designed to ensure security or - as we refer to them - peace-enforcement operations in a particular region of the world. I believe that in this area as well there is a great deal of scope for improving the practice of the Security Council, although on the whole it has proved itself and has acquired invaluable positive experience.

But we must note that here too there are great extremes in terms of decision-making. In some cases, at the outset and as though in advance, very broad parameters are established for carrying out an operation that may number up to several thousand people. In others, however, the Security Council is, in my view, rather slow in reacting to the situation.

I would recall, for example, the live television coverage, broadcast to many countries, of the statement made in this Chamber by the President of one of those countries that is suffering from a fratricidal conflict and is experiencing enormous difficulties involving thousands of refugees, bloodshed, and so on. That well-known leader, on several occasions, made appeals, not only from this rostrum but even earlier to the Security Council, requesting that an appropriate contingent be sent to assist in restoring calm in his country. However, after lengthy debates, the action was limited to sending several dozen observers, which, of course, was inadequate to deal with the tragic situation that existed in that country.

Other similar examples could be cited. Again, all of this gives grounds for talk of a double standard, which, of course, should be avoided in the work of the Security Council.

I should like to be correctly understood. Naturally, each situation is unique. Naturally, each conflict situation requires specific, unique and concrete reactions. But at the same time, the Security Council should give thought to the general framework for improving the principles underlying the approach to the use of such instruments as sanctions or to the sending of peace-

keeping or other missions, in order that all States might be aware of these conditions, these principles and this machinery. Incidentally, this would also have a restraining effect on those who resort to the use of weapons and are creating those conflict situations.

Therefore, I should like to request that those present here, who are so experienced in the work of the Security Council - the Permanent Representatives - give thought to further exchanges of opinions on the question of improving the work of the Council, on, *inter alia*, those questions I have touched on. Council members themselves will have to determine the forms and methods for such work, but it seems to me that after some study and after recommendations have been formulated, then perhaps the Ministers of Foreign Affairs could meet in this Chamber.

I know that the President of Argentina proposed the holding of a meeting of the Security Council at the summit level, the ministerial level, or even some other level, in January 1995. It could be possible to accomplish this in the next two or three months, and I am sure that it would enhance even further the prestige and the effectiveness of the work of the Security Council.

The President: I should like to say to the Minister for Foreign Affairs of the Russian Federation that he has given the Council much food for thought in the remarks he has made.

Mr. Mérimée (France) *(interpretation from French):* I wish first to welcome the presence among us today of the Minister for Foreign Affairs of the Russian Federation, Mr. Andrei Kozyrev, and the Deputy Prime Minister of Iraq, Mr. Tariq Aziz.

The crisis caused by the latest Iraqi initiatives has seriously jeopardized the progress achieved in recent months because of the good cooperation established between the Government of Iraq and the Special Commission. By deploying over the space of a few days its armed forces in the direction of the Kuwaiti border and by having no qualms about making threatening statements in regard to its neighbours and the United Nations, the Iraqi authorities seemed to be reverting to the confrontational policy they had practised for a number of years. The Council could not but react to these provocations, and it indeed did so by unanimously adopting resolution 949 (1994), designed to dissuade that country from ever resorting to such methods again. Iraq must immediately complete the withdrawal to which it is committed. It must in future refrain from any movement of this kind.

The French Government hopes that relations between Iraq and the international community can gradually be normalized. The Iraqi Government knows that it alone holds the key to that normalization. If it wishes to overcome the negative effects of recent developments, it is urgent that, prior to any other initiative, the declaration of intent published on the occasion of the visit to Baghdad by Mr. Kozyrev be followed by deeds.

In order to be sure of Iraq's peaceful intentions, my Government demands that the State of Iraq pledge solemnly, explicitly and unconditionally to respect the independence, sovereignty and territorial integrity of the State of Kuwait, as well as to respect, in accordance with the provisions of resolution 833 (1993), the inviolability of the international boundary drawn by the agreement of 4 October 1963 and definitively demarcated by the Commission established in accordance with paragraph 3 of resolution 687 (1991) and guaranteed by the Security Council.

To demonstrate their good faith, the Iraqi authorities will have to make these gestures by means of the same procedure they used to annex Kuwait: a decree by the Revolutionary Command Council of Iraq, signed by its President and published in the *Official Journal* of Iraq, will have to be transmitted to the President of the Security Council through official correspondence of the Iraqi Government, and the National Assembly of Iraq will have to issue a public declaration in the same terms. What we are demanding of the Iraqi authorities is, in fact, more than a legal procedure; it is a public political gesture showing that Iraq is entering a new stage in its relations with Kuwait.

In the view of my country's authorities, this vital gesture, an indispensable precondition for the study of any positive development, would constitute a turning point. It is also indispensable that Iraq continue to cooperate, and in exemplary fashion, with the Special Commission, as the Security Council once again demanded the day before yesterday in its resolution 949 (1994). This cooperation is all the more necessary since, as Iraq knows, it is a condition for the Council's continued consideration of the application of the sanctions it decreed; furthermore, Chairman Ekeus made it a condition last week for the beginning of long-term monitoring. We will have to see genuine good will and

cooperation on the part of the Iraqi Government, as well as its readiness to respect fully and lastingly the terms of resolution 687 (1991). The Chairman of the Special Commission considered that an interim period was now beginning and that it would be reasonable to proceed to an evaluation of Iraq's active cooperation in six months.

My delegation reminds the Iraqi authorities that during this period it expects them to continue to demonstrate their peaceful intentions. Disregard for other provisions of resolutions, whether they involve the fate of prisoners and missing persons or respect for the rights of minorities in Iraq, could only lead the international community to question Baghdad's intentions.

The lifting of the other sanctions imposed on Iraq - apart from the application in due course of paragraph 22 of resolution 687 (1991) - will depend on the fulfilment of all of its other obligations. The International Committee of the Red Cross will have to be put in a position to give the authorities of Kuwait all the information necessary on the fate of prisoners and missing persons. I have referred to the importance my delegation - which originated the adoption of resolution 688 (1991) - attaches to Iraq's respect for the rights of minorities and, more generally, for human rights. All the goods plundered during the occupation will have to be returned, and those not returned will have to be paid for in the framework of the compensation fund.

The presence before the Council of the Deputy Prime Minister of Iraq should be an opportunity for the authorities of that country to realize that our only goal is the restoration of peace and security to that region. We are very aware of the suffering endured by the Iraqi population, and we deplore the fact that its Government has never wished to take advantage of the possibilities offered it under resolutions 706 (1991) and 712 (1991). We hope the Deputy Prime Minister will be convinced, and will be able to convince others, that he has the means to place the Council in a position to examine rapidly any positive developments. We express the wish that the Government of Iraq will heed this message and will draw the conclusion that it should step up its cooperation, which is the only way to ensure its reinsertion into the international community.

Mrs. Albright (United States of America): My delegation appreciates receiving today's first-hand report from the Foreign Minister of the Russian Federation on his extensive efforts of last week.

I hope that no Government on this Council seriously doubts the danger we avoided last week. The military threat was real. My Government had convincing evidence, shared with the Council on a daily basis, that Iraq's military deployment was indeed a threat to Kuwait. A force of elite and regular army units, totalling some 80,000 troops, was amassing in southern Iraq in much the same way as in 1990. The threat was real. I believe that it was the decision by Member States to cooperate with the Government of Kuwait in deploying forces to the region that deterred the Baghdad regime and forced it to turn its military around.

The Security Council has now put Iraq on notice that it will be responsible for the serious consequences that would ensue from deploying its military in such a provocative and hostile way again. While there are signs that Iraq is indeed withdrawing its troops, we do not believe that the crisis is over. As the resolution we adopted last Saturday night explains, we must make sure that the threat of hostile action is not repeated.

We listened with interest to the Minister's report on Iraq's readiness to deal with the issue of Kuwait's sovereignty and borders. We explained on Saturday why we attach no more value to that promise than we do to all Iraq's previous promises, which is why we consider so important the language in the resolution stating that Iraq must unequivocally commit itself by full and formal constitutional procedures to respect Kuwait's sovereignty, territorial integrity and borders, as required by resolution 687 (1991) and 833 (1993).

We shall see if Iraq's Deputy Prime Minister, in his speech this morning, can report that Iraq has at last taken the steps re-endorsed by this Council just 36 hours ago: the renunciation of Iraq's claim to Kuwait, approved by the Revolutionary Command Council and its Chairman, ratified by the National Assembly and published in the *Official Gazette* and other State organs. Particularly welcome is the statement by the Russian Federation and virtually every member of the Council that the only way forward to the lifting of sanctions is through full implementation of all relevant Security Council resolutions.

This Council has an opportunity every two months to review matters relating to the Iraqi sanctions regime. That is the time and place to discuss the issues we have heard here today. But let me make some initial comments on my Government's view of sanctions.

We have heard much today about sanctions. The basic premise we have heard from some is that Iraq should be rewarded for partial compliance with some of its obligations. The Council should categorically reject that approach. These issues addressed in the resolutions go to the core of why the Gulf War was fought and to its tragic consequences. Iraq must not be led to believe that it can choose in an *à la carte* fashion among these obligations.

What has the United Nations asked Iraq to do? It has asked it to recognize and respect Kuwait's sovereignty and borders, as demarcated by the United Nations; repatriate Kuwaitis missing in action and all the property Iraq stole from Kuwait during the war; halt its support for and practice of terrorism; destroy its weapons-of-mass-destruction programme and accept measures to ensure against their regeneration in the future; cease repression of its citizens; and compensate those damaged by Iraq's invasion.

These are not unreasonable requirements. They reflect the underlying premise of the Council in drafting the basic cease-fire resolution - that Iraq must satisfy the Council of its peaceful intentions before it can expect to be treated as a normal member of the international community. Every other Member State considers these to be minimum standards of legal international behaviour. To suggest that respect for the most basic principles requires constant encouragement and incentive displays graphically just how far Saddam has chosen to separate Iraq from civilized society.

When we are dealing with a repeat offender we must be particularly vigilant. The threshold question this Council faces is not how long Iraq must cooperate with United Nations requirements on weapons of mass destruction before the oil embargo is suspended; the real question is whether Iraq will continue to cooperate with United Nations inspectors after the embargo is suspended. To answer that question in the affirmative, this Council must have confidence in the credibility of the Iraqi Government. I would hope that all agree that Baghdad has set back its credibility by its recent actions and that it is only compliance with all relevant resolutions that can restore that credibility.

It is not the Council's job to negotiate with Iraq the bare minimum with which it will be satisfied. It is not the Council's job to respond to its threats or to reward it for half measures. On 15 November the Council should make it unmistakably clear to Saddam that he will not receive the benefit of the doubt.

Finally, let me also say that I agree completely with the statement by Foreign Minister Kozyrev on the need to rationalize the Council's approach to sanctions. The Governments represented on this Council are now becoming increasingly engaged in a discussion aimed at improving the sanctions tool that this Council turns to so often.

The Foreign Minister of the Russian Federation also made some points about peace-keeping, and I share the sentiment he expressed. We should establish guidelines to ensure consistency and rationality in our decisions on peace-keeping. We all know that the best choice to address many regional conflicts is a United Nations peace-keeping force, but sometimes that is not the possible or responsible choice. Sometimes the best we can do is to endorse a coalition of States to act on our behalf. While we keep flexibility and a pragmatic approach, we must make sure that there is no double standard and that all peace-keeping operations, as well as those coalition forces legitimized by Council resolutions, all take place or are created according to recognized international peace-keeping rules and with international observers present.

Let me thank the Foreign Minister of the Russian Federation for his very thoughtful presentation today.

Mr. Keating (New Zealand): I would like to join the other members of the Council in welcoming today the Foreign Minister of the Russian Federation, Mr. Andrei Kozyrev.

The New Zealand delegation admires the efforts which the Russian Federation has been making to promote peace in the Gulf region. The role of the peacemaker is never easy. It is always a hard and lengthy road, and it is often a thankless task. It is therefore all the more appropriate that we in the Security Council record today our appreciation of the Federation's efforts.

I would also like to welcome amongst us today the Deputy Prime Minister of Iraq, Mr. Tariq Aziz. He is of course no stranger to us; we have had many discussions with him over the past year or so.

Today we have the opportunity, in discussing again the situation between Iraq and Kuwait, to look ahead. On Saturday evening we adopted unanimously a resolution which contained the Council's response to the misguided and dangerous events of the previous weeks.

As we look ahead, we want to say that the public statement of 13 October by Iraq that it is ready to recognize Kuwait and its borders is positive. Iraq had hinted many times in the past that it was willing to recognize Kuwait. But a public announcement is only a small step forward. My delegation believes that, as the days go by and no concrete action is taken to turn it into a reality, this promise will steadily lose credibility.

Three weeks ago the news contained in the 13 October communiqué might have been received by this Council with more enthusiasm. The response would still have been a cautious one, because the matter of Kuwait's sovereignty and its borders is not a negotiable item. But the Security Council would have seen the statement as a very positive step forward. But the events of the past two weeks have, unfortunately, reopened and poured salt into the wounds of 1990. Our approach to the future, therefore, in the light of these events, now has to reflect not just caution, but, rather, some scepticism.

As I have said, this promise contained in the 13 October statement must be followed up within a short time by full formal recognition in constitutional form of Kuwait and its borders, in accordance with resolution 833 (1993). That is the only way forward. If it comes, and comes quickly, the Security Council will be able to reflect the significance of such a step in its consideration of Iraq's overall compliance with Security Council resolutions. It will not expunge the heightened anxieties of recent weeks about Iraq's peaceful intentions, but it will improve the political atmosphere in which the Council can proceed in its successive reviews to weigh Iraq's overall compliance with Security Council resolutions. At the heart of those reviews is the Council's need to be persuaded of Iraq's peaceful intentions over the long term. Recognition of Kuwait is therefore only part of the picture.

The wider picture includes, of course, satisfactory cooperation with the United Nations Special Commission (UNSCOM). We are now in the period of provisional implementation of the regime required under resolution 715 (1991) for the long-term monitoring of weapons of mass destruction. For us, this is a technical matter. UNSCOM must have whatever time it needs, based solely on its professional and objective analysis of the facts, to judge whether the regime in place is capable of being effective over the long term. This is not the time or the place for political intrusion into that process, although satisfactory achievement of UNSCOM's technical mandate is certainly a factor upon which the Council, further down the track, will be able to draw in making political judgments.

Other factors the Council will need to bear in mind when it comes to make political judgments will be other concrete evidence of Iraq's peaceful intentions, including progress on the restoration of stolen Kuwaiti property and cooperation with the International Committee of the Red Cross regarding missing persons. In our view, a willingness to accept serious confidence-building measures regarding troop deployments must now be another important test in the light of recent events.

In conclusion, I want to reiterate that the view of my Government is that the troop deployments of early October have been a major setback in our assessment of Iraq's intentions. It is therefore all the more necessary that Iraq take steps to rebuild confidence. Words have to be backed by visible and uncontrovertible proof of serious action to comply with relevant Security Council resolutions.

Mr. Sardenberg (Brazil): It is with great satisfaction that we welcome Mr. Andrei Kozyrev, the Minister for Foreign Affairs of the Russian Federation, and convey to him our thanks for his important statement. His recent trip to the Gulf region was the latest in his Government's efforts to help bring lasting peace to that troubled region.

We likewise welcome Mr. Tariq Aziz, the Deputy Prime Minister of Iraq, and we look forward to hearing his statement.

This formal meeting offers a good opportunity for a constructive exchange of views, which we hope will help create conditions for a much-needed resumption of the dialogue on this dispute. We expect that the results of this discussion will assist in paving the way to the improvement of Iraq's relations with the Security Council, as a step towards the normalization of its relations with the international community. We must build an atmosphere of trust in order to address the outstanding problems in an objective and fair manner.

Last week Brazil shared with many other States the apprehension that the all-too-familiar scene of a military buildup in the Gulf region, specifically the movement of troops towards the south of Iraq, would lead to a new round of armed confrontation. Four years of strife and suffering in the region should have brought about a greater awareness of the imperative need for peace. Recent success stories in the Middle East and southern Africa, to name two of the world's most intractable situations, have shown that conflicts can recede with

patient political and diplomatic work. It is our hope that in the not-too-distant future it will be possible to heal the deep wounds in the Gulf and to start a process of real reconciliation.

The recent events in the region were particularly unsettling in view of the fact that the patient work of the United Nations Special Commission (UNSCOM), ably led by Ambassador Rolf Ekeus, was about to bear fruit. Those regrettable events coincided with the presentation of an excellent report by Ambassador Ekeus, in which it was stated that the ongoing monitoring and verification system was provisionally operational. It is important to recognize that such results could not have been reached without active cooperation from the Iraqi authorities. Indeed, the report of the Secretary-General on the status of UNSCOM's work notes that

> "If Iraq extends to the operation of ongoing monitoring and verification the same level of cooperation that it has to date in its establishment, there can be cause for optimism". *(S/1994/1138, para. 39)*

Considering the technical and political complexity of the foreseen monitoring and verification activities, the progress that has been obtained is a major achievement for all concerned which we should not allow to be wasted. In addition, the report on UNSCOM indicates that the remaining gaps in the Commission's knowledge about Iraq's past arms programmes are gradually being filled, and that most protocols in the areas of missiles and chemical and biological weapons have been concluded or are under way.

In this respect we urge Iraq's authorities to continue to show a cooperative attitude so as to enable the Council to respond accordingly, within an appropriate time-frame. Likewise, the Council should acknowledge and stimulate the progress reported by the Special Commission, which has a necessary bearing on the sanctions regime. Urgent action is required to alleviate the dire humanitarian situation of the Iraqi population.

Although substantial advances have been achieved with regard to the disarmament provisions of the cease-fire resolution, much remains to be done in relation to other pending issues. The clock of history in the region should not be allowed to move backwards. We hope that, in due course and in stages, it will be possible to work out a sufficiently comprehensive solution to the dispute that will prove acceptable to those involved.

The Brazilian Government has stated on various occasions, and has also conveyed through appropriate channels, that Iraq should comply with all the provisions of resolution 687 (1991), and in particular with those related to the clear recognition of the sovereignty of Kuwait. We underscore in this regard that resolution 949 (1994) expressly reaffirmed the commitment of all Member States to the sovereignty, territorial integrity and political independence of both Kuwait and Iraq.

In the recent joint statement, Iraq affirmed its readiness to resolve in a positive manner the issue of recognizing Kuwait. We welcome this positive step and urge Iraq to take concrete measures to fulfil its commitment.

The recent visit by the Foreign Minister of the Russian Federation to the Gulf region was a timely and praiseworthy initiative to defuse tension and strengthen diplomatic efforts. At this juncture it is quite clear that a solution through military means is not the answer to the problem. It is essential that a transparent and constructive dialogue be launched in order to prevent misperceptions, misunderstandings and actions that might cause the situation to deteriorate further.

The Brazilian Government upholds the principle that all Security Council resolutions should be strictly complied with. This principle should be observed by Iraq and by the Council itself. The numerous Security Council resolutions adopted in the past four years have provided an essential legal framework for the solution of this situation.

To conclude, we reiterate our view that we deem it necessary and urgent that full use now be made of diplomatic efforts so that all the underlying problems may be treated in a peaceful manner. There is no alternative to bringing lasting peace to the region.

Mr. Cárdenas (Argentina) *(interpretation from Spanish)*: My delegation has repeatedly stated its position on the question before us today, most recently when we explained our vote in favour of resolution 949 (1994), which the Council adopted on Saturday, 15 October.

Today we wish to express our deep gratitude to the Minister for Foreign Affairs of the Russian Federation, Mr. Andrei Kozyrev, for the tireless efforts for peace he has made in many spheres, specifically today in connection with the question of the Gulf. Like all the

other delegations in the Security Council, the Russian delegation is working in a spirit of peace, which is the backbone of all our actions. We appreciate the special concern indicated by Mr. Kozyrev's presence here to share his views and impressions; this will enable us to take the decisions the crisis will require from time to time, specifically on the system of sanctions that has been imposed upon Iraq as a direct result of its past conduct.

In this context, I would first like to say that the Republic of Argentina agrees with the basic objectives of peace expressed by the Minister for Foreign Affairs of the Russian Federation and reiterates its will to continue to work to ensure peace and stability between Kuwait and Iraq, as well as among the other countries of the region. Furthermore, we wish to state that Iraq's unequivocal recognition of the sovereignty and territorial integrity of Kuwait is and will remain a fundamental element in the settlement of this crisis. That is what we have repeatedly said to the Deputy Prime Minister of Iraq, Mr. Tariq Aziz, who is so kind as to be with us today, in bilateral talks.

The news given to us again this morning of a change in attitude on this issue and on that of the border between the two countries - a change we were beginning to see in the past few days - is of course very welcome. But this news naturally needs to be followed by each and every one of the necessary steps and formalities. Peace will be achieved through deeds and through conduct based neither on demonstrations of force nor on threats or acts of provocation, and on the basis of peaceful dialogue, respect for the law, tolerance and, above all, good faith.

We are particularly grateful for the generous words with which the Minister for Foreign Affairs of the Russian Federation expressed his admiration for the work of this Council, particularly when innovative measures are employed, within the framework of our wise Charter, to resolve crises that are new to us.

Some of these measures may have generated negative comment. That is probably inevitable. This old saying in Spanish literature somehow applies: "They are barking, Sancho; it means we are making progress." We are working and will continue to work on the matters he mentioned. They are matters of shared interest and subjects of common concern, and the world in which we are working is new, characterized by a quest for transparency and consensus. It is not easy, but in this quest we have all placed our shared hopes.

Mr. Kovanda (Czech Republic): My delegation is very happy to have had the opportunity to listen to Minister Kozyrev's statement. We will be studying his remarks with great care; not only those that concern the issue at hand but also those that concern the broader issue of the work of the Security Council. We are also very happy to see among us His Excellency Deputy Prime Minister Tariq Aziz, and we are very much looking forward to hearing what he will convey to the Council today.

The Czech Republic rejects the threat of force as an instrument of international policy, and that is why we applauded the deployment of allied troops in the Gulf and why we supported resolution 949 (1994). We see this resolution, not as an end in itself, but as a means of achieving the overall objective of establishing peace and security in the region. The necessary condition for resolving the crisis in the region, as my country has emphasized over and over again, is the recognition of the independence, sovereignty, and territorial integrity of Kuwait within its internationally recognized borders, that is to say, among other things, the acceptance by Iraq of resolution 833 (1993) and other relevant resolutions.

In this context, we welcome Minister Kozyrev's observation that Iraq has accepted - and I quote his words as they came across in the interpretation - "the need to resolve positively the question of recognition of Kuwait without preconditions".

But while Iraq has accepted the need to resolve the recognition question, it has not yet resolved the question. The step that Iraq has made, however, is a step in the right direction. Yet, it certainly does not provide a sufficient impetus for lifting sanctions. It is in this context that we will be particularly looking forward to Deputy Prime Minister Tariq Aziz's statement today.

Resolving the Gulf crisis in a comprehensive and balanced way, in the opinion of my Government, calls for weighing both the negative experience the international community has had with Iraq lately, including during the last two weeks, and the positive steps Iraq has taken, particularly in its cooperation with the United Nations Special Commission (UNSCOM). My Government feels that if Iraq follows the recent communiqué between itself and the Russian Federation by actually recognizing Kuwait at the appropriate level and in the appropriate form, and if Ambassador Ekeus were to report on sufficient further progress in the work of UNSCOM, then, next month, the time may well have

come to debate and decide on starting up a test period and on determining its length.

Nevertheless, the Security Council cannot unequivocally determine that if a six-month monitoring period, for example, were to end successfully, sanctions would be lifted. The Council, in other words, cannot commit itself to any action so far ahead of time.

In conclusion, let me reiterate the point we made last Saturday: Iraq must become a good neighbour to all of its neighbours. To this end, it needs to meet the provisions of all relevant Council resolutions.

Mr. Yañez-Barnuevo (Spain) *(interpretation from Spanish):* May I express the gratitude of the Spanish delegation for the information provided to the Security Council today by the Minister for Foreign Affairs of the Russian Federation, and also for the very interesting considerations accompanying that information.

The recent visit to the area by Minister Kozyrev is a valuable effort in confronting what we all consider to be the core problem resulting from the Gulf war four years ago, in other words, the need for Iraq to recognize the independence, sovereignty and territorial integrity of Kuwait. The joint communiqué between the Russian Federation and Iraq constitutes a first step in the right direction for dealing with and resolving this important question.

The Security Council has devoted many resolutions to this matter, and in particular resolution 833 (1993), through which the Council guaranteed the border between Iraq and Kuwait as demarcated by the International Commission created for this purpose. Just two days ago, in its resolution 949 (1994), the Council once again recalled the need for Iraq to pledge unequivocally, through a formal constitutional procedure, to respect the sovereignty, territorial integrity and borders of Kuwait as required by resolutions 687 (1991) and 833 (1993).

I would like to highlight the fact that the unanimous adoption of resolution 949 (1994) confirms the agreement among the members of the Council as to the way in which this matter must be approached in order to safeguard international peace and security in the region and to arrive at a definitive solution to the pending problems.

The recent actions by the Iraqi Government - first the declaration by the Revolution Command Council of 6 October, and then the deployment of troops near the border with Kuwait - have seriously called into question its credibility before the rest of the world. It will be necessary, therefore, for Iraq to redouble its efforts in order to gain the confidence of the international community.

To this end it will be necessary for Iraq to continue to cooperate with the Special Commission and with the International Atomic Energy Agency with a view to the full functioning of the permanent system for the monitoring of Iraqi capacities regarding weapons of mass destruction.

It will also be necessary for Iraq to cooperate fully and resolutely with the United Nations and with the International Committee of the Red Cross in the implementation of the other relevant resolutions of the Security Council. That is what will make it possible for this Council to consider, in due course, the question of the review of the sanctions regime. In this connection I must recall on this occasion that Spain considers that sanctions regimes are not an end in themselves but rather an instrument designed to obtain certain objectives delimited by the Security Council. As those objectives are met, the Council can and must draw the appropriate conclusions, bearing in mind, first and foremost, the principles defended by the international community and the effects on the populations concerned and on neighbouring countries.

In the case now before us the responsibility to fulfil its obligations in accordance with the relevant resolutions of the Security Council is undoubtedly incumbent upon the Iraqi authorities. It is therefore in their hands to improve the situation of their people by taking concrete steps to convince the international community of the peaceful intentions of Iraq.

At the same time the Security Council must be prepared to respond appropriately to a change in the attitude of the Iraqi authorities once that change of attitude is indeed observed, not in words only but also in deeds.

Mr. Li Zhaoxing (China) *(interpretation from Chinese)*: First, allow me warmly to welcome the presence among us of their Excellencies, Mr. Tariq Aziz, the Deputy Prime Minister of Iraq, and Mr. Kozyrev, the Minister for Foreign Affairs of the Russian Federation.

We are pleased to note that, thanks to the peace effort of the international community, the United Nations

and other parties concerned, the Iraqi Government has begun withdrawing its troops. Tensions in the region have also begun to be defused. We hope that the parties will continue their peace efforts with a view to finding a speedy and appropriate solution to the problem.

The Government of China has always advocated peaceful solutions on the basis of the full implementation of relevant Security Council resolutions to the problems left over from the Gulf War so that lasting peace and the stability of the Gulf can be realized at an early date.

We wish to reaffirm that the sovereignty and territorial integrity of Kuwait, like that of all other Members of the United Nations, should be fully respected. We hope that Iraq will continue its cooperation with the United Nations in full compliance with the relevant Security Council resolutions so as to create conditions for the partial or complete lifting of sanctions.

The Chinese delegation has always held that the purposes and principles of the United Nations set forth in the Charter, as well as the five principles of peaceful coexistence that have stood the test of time as being correct and effective, should be the basic norms to be followed in the handling of inter-State relations, including the Gulf problem.

The Chinese delegation, together with other Members of the United Nations and the Security Council, will continue to make its contribution to safeguarding peace and stability throughout the world by upholding the above-mentioned principles.

The President: I shall now make a statement in my capacity as the representative of the United Kingdom.

My Government welcomes this opportunity to take an overall look at the relations between the Security Council and Iraq. It is right that from time to time we should raise our eyes from the detail of the activities of the United Nations Special Commission (UNSCOM) or of Iraq's aggressive military deployments and look at the picture in the round. My Government also welcomes the presence of the Foreign Minister of the Russian Federation at the Council today to brief us on his recent activities. Much depends on the unity and common purpose of the Council and we must be ready to discuss the way ahead openly and frankly.

During the past four years much has been achieved. When I first came here to occupy this seat on the Council in September 1990, Iraq was in full possession of Kuwait and was striving to obliterate all traces of that country and its people as a separate entity. Since then the aggressor has been expelled and Kuwaiti sovereignty restored; Kuwait's territorial integrity has been established by demarcating the boundary, which was freely agreed by Iraq and Kuwait in 1963 but never respected by Iraq, and by the Security Council guaranteeing that border; much Kuwaiti property has been returned; Iraq's massive programmes for building weapons of mass destruction have been to a remarkable extent destroyed, removed or rendered harmless. These are great achievements, of which the Security Council and the United Nations can be proud. But they are not the whole story.

The events of the past few weeks have shown how fragile and how ephemeral these achievements risk being if we are not vigilant and firm in our handling of Iraq's continuing efforts to break out of the framework of international law laid down in the resolutions of this Council. Within the space of a few days Iraq had threatened to withdraw cooperation with UNSCOM if the Council did not lift the oil embargo by 10 October and had deployed military forces several times the size of those of Kuwait along its borders with that country. Old habits die hard and old bad habits die hardest of all. Fortunately, this Council and the countries which cooperated under its authority to save Kuwait four years ago had learned valuable lessons from that experience. The speed with which military backing for Kuwait was mustered, the clear and firm position of this Council in its presidential statement of 8 October and in Security Council resolution 949 (1994) adopted two days ago, seem to be working. For our part we have deployed two Royal Naval vessels, we have doubled the number of Tornado aircraft in the Gulf, and we are sending a battalion of Royal Marines. Now the Iraqi troop deployments are gradually being reversed; the deadline of 10 October has come and gone and UNSCOM is still in business. But there can be no doubt that new lessons need to be learned from these latest events. Confidence in Iraqi cooperation has been fundamentally undermined and will not be easily restored.

Much in any case remains to be done before any general easing of sanctions could be contemplated. There can be no question of package deals between this Council and Iraq. Iraq's willingness to recognize Kuwait in its borders as demarcated by the United Nations Special Commission and endorsed in resolution 833 (1993) is not some carrot to be dangled and then snatched away, as the

Iraqi Government is currently doing. It must be unconditionally and irrevocably established, buttressed by the same Iraqi processes of ratification as were used to abolish Kuwait's existence four years ago. UNSCOM's long-term verification and monitoring programmes must be tested and tried over a substantial period; that testing is not only a technical necessity, but the one way to establish whatever degree of Iraqi cooperation is essential to enable the system to function effectively and to see that that will be forthcoming. Moreover, the whereabouts of Kuwaiti and other detainees must be determined and, if they are alive, they must be returned. Iraq's policies and practices in connection with compliance with the whole range of Security Council resolutions, from resolution 660 (1990) through 687 (1991) and 688 (1991) to 949 (1994), must be taken into account.

The plight of the Iraqi people is real, and it is no matter of indifference to the Council, even if it is to the rulers of Iraq. Our quarrel has never been with Iraq's people, but is with its rulers, whose legacy of aggression, defeat and repression has taken a terrible toll. For three years members of the Council have been trying to find ways to let Iraqi oil exports be used to finance supplies of medicine and foodstuffs to those who need them most. Each attempt has been blocked by Iraq. I make the following offer to the Deputy Prime Minister of Iraq today: Say you will accept the provisions of resolutions 706 (1991) and 712 (1991) and this very week the Council will update them and give them renewed effect. But if you are not ready to do that, then cease the pretence that the suffering of Iraq's people can be laid at any door other than that of the Government of which you are a member.

There have been many references in recent weeks to the need in due course to lift the oil embargo. The impression is sometimes given that this is a desirable objective in its own right. But those who are pressing for this course of action will need first to answer some hard questions. Here are a few of them:

One, how does the Council ensure that Iraq does not, once the oil embargo is lifted, renege on its cooperation with UNSCOM and put its qualified and experienced engineers back to work on weapons of mass destruction with which to threaten its neighbours?

Two, how does the Council ensure that the increased economic strength that would flow from exporting oil is not diverted, as it was in the past, to the illegal purchase of arms rather than to economic and social programmes?

Three, how does the Council ensure that Iraq does not use its regained strength to turn on its own people?

Four - and last, and most important - how does the Council ensure that Iraq, which even under the oil embargo has continued to threaten its neighbours, as it did with last week's troop deployments, does not do so with renewed force in the future?

These are not easy questions to answer. One thing, however, is clear, and that is that the continued presence of President Saddam Hussein as President of Iraq makes these questions more difficult to answer satisfactorily.

I now resume my functions as President of the Council.

The next speaker is the Deputy Prime Minister of Iraq, His Excellency Mr. Tariq Aziz, whom I invite to make his statement.

Mr. Aziz (Iraq)*(interpretation from Arabic):* The meeting of the Security Council today acquires a special and major significance. We have always wished for the facts, all the facts, to be laid before the Council and world public opinion.

What are those fundamental facts? Mr. Andrei Kozyrev, the Minister for Foreign Affairs of the Russian Federation, spoke earlier this morning and made a clear statement about his visit to Baghdad. The Joint Communiqué issued on the occasion of that historic visit is before members of the Council.

First, the Joint Communiqué states:

> "The Russian Federation advocated the adoption of decisive measures to prevent an escalation of the tension and to resume the political and diplomatic efforts that would ultimately bring security and real stability to the region, the lifting of the sanctions against Iraq and the establishment of good-neighbourly relations between Iraq and Kuwait." *(S/1994/1173, Annex, p. 2)*

Iraq endorses this sincere call, urges adherence to it and calls for its implementation.

Secondly, the Joint Communiqué states:

> "Iraq affirmed its readiness to resolve in a positive manner the issue of recognizing Kuwait's

sovereignty and borders, as laid down in Security Council resolution 833 (1993)." *(Ibid.)*

That is our position.

Thirdly, the Joint Communiqué also states:

"A number of specific measures to build confidence among the States of the region, removing mutual suspicion and creating a climate of trust, were discussed." *(Ibid.)*

This is what we discussed in Baghdad with Mr. Andrei Kozyrev, and we are prepared to do it.

Fourthly, in the first place, the Iraqi forces about which all this clamour has been raised were on Iraqi soil; in the second place, following the raising of that clamour, on 10 October, it was decided to pull those forces back to their rear positions, and that action was completed on the evening of 12 October; in the third place, on Saturday, 15 October, before the Security Council adopted its resolution 949 (1994), orders were issued to the remaining forces to pull back to their previous positions, and that is being done.

Fifthly, another fact is that Iraq has complied with its commitments in accordance with section C of Security Council resolution 687 (1991), as stated in the reports by the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), the latest of which was the official report submitted to the Council on 10 October.

Sixth, yet another fact is that the monitoring system instituted by Security Council resolution 715 (1991) is working. The Iraqi authorities have fully cooperated and continue to cooperate with the United Nations Special Commission (UNSCOM) and with the International Atomic Energy Agency (IAEA). This is what we undertake here, now, to continue to do at the present and in the future, in discharge of our obligations under resolutions 687 (1991) and 715 (1991).

These then are the fundamental facts of the situation. The Council is called upon to base its work on these fundamental, clear and concrete facts which are substantiated by official documents. The sound approach that is consistent with the essence of the Security Council resolutions, the United Nations Charter and the unanimous objective of the international community, namely the establishment of peace, security and stability in the region and the upholding of justice for all parties, that sound approach is for the Security Council to keep these facts in sight and to work in accordance with the correct legal and equitable interpretation of its own resolutions so that it may uphold justice and safeguard the legitimate rights of all parties. Naturally, this could never be achieved by maintaining the blockade against the Iraqi people.

Some would speak of rewards. I have not come here to ask for any rewards from anybody. What I am here to ask for are the rights of Iraq as provided for in the very resolutions adopted by the Security Council. The Council is called upon to base its actions on the essence and the texts of its own resolutions. The Council must interpret those resolutions in a correct and equitable legal fashion and to give each his due. Iraq is prepared to cooperate with the Council towards the achievement of this goal.

The foregoing was the prepared text of the statement I intended to make in this meeting. I had not intended and, indeed, am not called upon to enter into discussions with delegations that have spoken in this meeting. I am quite aware that two of the statements made in this meeting were intended to distort the facts and to distort the objective of the Council, namely the establishment of comprehensive security and stability for all parties in the region. I should like simply to state that the last statement, by the distinguished representative of the United Kingdom, is a clear example of the illegal approach in dealing with the question of Iraq. How can the representative of Britain give himself the right to question the legitimacy of Iraq's leadership and the legitimacy of the leader of Iraq? This is an example of the violation of international law, and it is what has been done by his and other Governments. If the Security Council wants to correctly apply international law it has to stand up firmly and clearly to such illegal actions.

Mr. Abulhasan (Kuwait) *(interpretation from Arabic):* The Security Council convenes today to listen to His Excellency Mr. Kozyrev, the Foreign Minister of the Russian Federation, and my delegation is pleased to have him among us today. He has just briefed us on his latest efforts to convince the Iraqi regime of the need to carry out all the obligations under resolution 687 (1991), particularly those relating to respect for the sovereignty, independence and territorial integrity of Kuwait, as well as its international borders, as laid down in resolution 833 (1993) and as guaranteed by your august Council.

Kuwait appreciates the interest of the Russian Federation in ensuring the safety of Kuwait and the inviolability of its international borders and in holding Iraq responsible for carrying out its obligations under Security Council resolutions. Mr. Kozyrev had the chance in person to listen to the viewpoint of Kuwait and to the expressions of the esteem in which we hold him personally and hold his country, from His Royal Highness the Emir of Kuwait, His Royal Highness the Crown Prince and Prime Minister, and the First Deputy Prime Minister and Foreign Minister in the course of his last visit to Kuwait.

This Council has also listened to the position of the Iraqi regime regarding those obligations, and as expected, we have heard nothing new, even at these crucial moments.

This Council meets today after having adopted resolution 949 (1994), in which it stipulated a number of procedures designed to prevent the Iraqi regime from threatening the security and borders of Kuwait and of the countries of the world and from destabilizing regional and international peace. It is a happy coincidence that our meeting today comes after the collective stand of your Council in the face of the Iraqi threats and its rejection of its non-peaceful intentions. This collective stand carries in itself a clear message to the Iraqi regime that all the permanent and non-permanent members of the Security Council, without distinction, stand as one man against the policies of the Iraqi regime, the last of which was the movement 10 days ago of its forces towards the borders of Kuwait under the pretext of military exercises. This was done with the aim of moving world public opinion to consider the suffering of its people under the sanctions; however, the whole world knows by now who is responsible for that suffering.

During the meetings regularly held by the Security Council every two months to discuss Iraq's implementation of its obligations under the relevant Security Council resolutions, it has become clear that the Council regards its relevant resolutions as one indivisible whole, a political and legal whole that allows of no permissiveness. The Security Council cannot also accept that practice pursued by the Iraqi regime of selecting certain paragraphs that are irrelevant to the essence of the problem, thus believing that it may create certain loopholes in the steadfast position of the Security Council or push its members to disregard some of those obligations or to regard them as less important.

The Iraqi regime is dreaming of and gambling on splintering the unity of the Security Council so that it may be able to escape some of its responsibilities. That being the case, the Government and people of Kuwait appreciate the Council's united stand as expressed in its resolution 949 (1994). Members of the Council who spoke on the occasion of the adoption of that resolution explained, and they have just done so again, what is required of Iraq if it wishes to have the sanctions relaxed or lifted.

We in Kuwait have repeatedly stated and continue to state the obligations that have not yet been discharged:

First, official recognition of Kuwait's sovereignty, independence and territorial integrity;

Second, recognition of Kuwait's international borders as laid down by Security Council resolution 833 (1993);

Third, these two recognitions should be fully documented through Iraq's constitution channels, published in Iraq's *Official Gazette* and deposited with the United Nations, as is provided for in Security Council resolution 949 (1994);

Fourth, Iraq's representative on the United Nations Iraq/Kuwait Boundary Demarcation Commission should sign all the relevant records and the official border map, which were signed by Kuwait's representative on the Commission, the independent experts who are members of the Commission and the Secretary-General of the United Nations, on 20 May 1993. Iraq's signature is necessary for the proper completion of the formalities of these records;

Fifth, the Iraqi authorities should allow the farmers of their country who are affected to receive their compensation, as estimated by the United Nations. Kuwait has already deposited the funds with the United Nations pending their receipt by the Iraqi farmers under Security Council resolution 899 (1994);

Six, there must be serious cooperation with the International Committee of the Red Cross with a view to securing the release of all prisoners and detainees and receiving information about the fate of missing persons who are nationals of Kuwait or of other countries. Iraq should demonstrate the necessary seriousness that is needed for this humanitarian problem to be resolved. This is a problem that the Iraqi regime has been exploiting as a political card to reap special gains;

Seven, all Iraq's weapons of mass destruction must be destroyed;

Eight, a sufficiently long period must be allowed to elapse to reassure all members that the monitoring machinery established by the Special Commission is functioning efficiently and, in this connection, that Iraq will in future cooperate unconditionally and completely with the Special Commission;

Nine, the remaining property that was stolen from the Government sector in Kuwait must be returned. There is a great deal of such property, and it belongs to various Government Departments. Last week, we sent an inventory of some of the items to the Secretary-General. This was published as an official document;

Ten, Iraq's responsibility with regard to property belonging to the private sector must be discharged. This property was stolen, as is documented in official Iraqi instruments, which indicate which Iraqi Government body was responsible for the theft, as well as the location to which the property was sent. All this information is included in documents under our hand, some of which were communicated to the United Nations;

Eleven, we need practical measures that prove in concrete terms the good intentions of Iraq. Iraq should act at the regional level in a manner that does not threaten security and stability in the region. It should observe the principles of good-neighbourliness with the countries of the region by renouncing its ambitions, its policy of blackmail and intimidation and its interference in the internal affairs of the other countries of the region; by refraining from terrorism and from supporting terrorism; and by relinquishing the aggressive tendency that characterizes the Iraqi regime;

Twelve, there must be respect for the rights of Iraq's people, whether in the north or in the south, under Security Council resolution 688 (1991), and Iraq must refrain from pursuing a policy of suppressing or violating human rights, so that neighbouring countries will not be subjected to an influx of refugees, resulting in the undermining of their peace and security;

Thirteen, Iraq must honour its obligations concerning the payment of compensation under part E of Security Council resolution 687 (1991).

Over the years that followed the liberation of Kuwait, the Iraqi regime tried to circumvent some of these demands while claiming that it was implementing them in the belief that it can deceive the international community and the members of the Security Council, as well as Kuwait. The most salient issues disregarded by the Iraqi regime have been the independence, sovereignty and borders of Kuwait, the question of prisoners and detainees and the matter of persons missing from Kuwait and other countries.

The fact that all these attempts have been frustrated and rejected is due to the serious and united stand of the Security Council and to Kuwait's persistence, as well as its political and diplomatic activity, supported by the active and unified policy of our brethren in the Cooperation Council of the Arab States of the Gulf, the countries of the Damascus declaration, the League of Arab States, the Organization of the Islamic Conference, the Movement of Non-aligned Countries and the rest of the world.

In view of the developments we witnessed 10 days ago and of today's episode, I should like to explain Kuwait's view concerning the manner in which these questions should be addressed and resolved:

First, I emphasize Iraq's obligation to implement unconditionally all relevant Security Council resolutions;

Second, we should not accept any expression of any intent to implement as a substitute for actual implementation;

Third, I emphasize the need to reject any formula that could be interpreted as making Iraq's compliance with these demands contingent upon its receiving a promise from the Security Council to implement counter-obligations;

Fourth, Iraq should not be allowed to negotiate with the Security Council or with any other party or parties concerning resolutions adopted by the Council or the means of implementing them;

Fifth, we must reject the notion that blackmail and the threat or use of force could result in the securing of rights by those who engage in such activities or could be used as a reason for shrugging off responsibilities. It is important that the aggressor should not be rewarded;

Six, Iraq should not be allowed to implement its obligations selectively or to refer those remaining for

bilateral solution or to frameworks outside the Security Council.

Seven, the need to make sure, through agreed controls, of the good intentions of Iraq in order to avoid shaking the foundations of peace and security in the Persian Gulf region in the way we have been witnessing since 6 October last.

The renewed threats by Iraq against Kuwait and the States of the region in the manner that we have all witnessed over the past 10 days, and the results arising from such threats, make it imperative that the Council, in addition to resolution 949 (1994), adopted on 15 October last, should gauge the implementation by Iraq of its obligations in the light of this painful experience, the results of which we are living through today. It is also imperative that the Security Council should develop controls and procedures to prevent the Iraqi regime from reneging on its commitments regarding implementation.

The Iraqi regime, which has shaken whatever remaining confidence the international community, and particularly the Security Council may have had in it, has to prove in practice that it has changed its approach and adopted peaceful intentions.

Kuwait and the other States of the Persian Gulf region are pained by the suffering of the Iraqi people. We have all expressed in words and deeds our feelings in that respect. We have indicated the most correct and direct way to end that suffering, which is caused by the Iraqi regime itself because of its refusal to implement its political and legal obligations and its rejection of the authorization given to it by the Security Council to purchase its basic needs under resolutions 706 (1991) and 712 (1991). It does this under pretexts which are not commensurate with logic or with the responsibilities of the Iraqi State, while accepting the same procedures in respect of other aspects of its obligations.

We call upon the Iraqi regime to follow the right and clear way, by which it might be able to ensure the easing of the sanctions in order to show mercy to its people, safeguard the security of its neighbours and guarantee stability in this important region of the world.

We have wasted a great deal of our most precious human and material resources, bestowed upon us by God, and devoted it to withstanding expansionist and aggressive acts launched against us. It is time for us to devote these human and material resources to achieving what is good for our nation and for its security, progress and peace. We should devote strenuous efforts to the benefit of mankind, the most gracious of God's creatures. We should promote his value and role in establishing a region in which peace, security and stability prevail.

Our last prayer is that we thank God, the Creator of all worlds.

The President: The representative of the United States wishes to speak, and I call on her.

Mrs. Albright (United States): What we have just heard from the Deputy Prime Minister of Iraq is very revealing. Once again, we have an Iraqi promise. Once again, we are asked to take Saddam Hussein's promise in place of action on an obligation that he has been unwilling to fulfil for four years.

Is it credible that a Government of Iraq that, as of yesterday, could not utter the word "Kuwait", is now prepared to disavow its claim to ownership of that country and to finally yield its claim to Kuwait as Iraq's 19th province? I do not know whether Iraq will take the necessary steps to back up its statement of intent with regard to Kuwait's borders and sovereignty. It strains credulity that this Council should take the Deputy Prime Minister's word for it, particularly in view of his Government's actions of the past 10 days and, indeed, of the past four years.

An Iraq that could mobilize such a significant force to move south so quickly should have relatively little trouble in bringing before this Council today proof that it had taken formal constitutional procedures to recognize Kuwait in the same judicial manner as that by which it seized it and laid claim to it.

In less than one week in August 1990, Iraq annexed Kuwait through formal action by the Revolutionary Command Council over Saddam Hussein's signature through approval by the National Assembly and through publication in the State gazette and all other organs of the State. Three and a half years after promising to reverse these steps, the best the Iraqi Government can offer is today's statement.

We simply cannot trust words and stated intentions from an Iraq which has shown its continued disdain for adherence to its commitments. Words are cheap. Actions are the coin of the realm, whether the issue is Kuwait's borders, accounting for the weapons of mass

destruction programmes, ending the use of terror or ending the repression of Iraq's citizens.

Many of those present today will find the Iraqi Deputy Prime Minister's presentation familiar. He said much the same thing in his statement to the General Assembly 10 days ago. If there is a step forward, he permitted the word "Kuwait" to cross his lips. That address occurred, let us remember, as Iraqi forces were moving towards Kuwait's borders. This Council has reacted quickly and forcefully to condemn that provocation. The resolution adopted unanimously on 15 October last underscores the unacceptability of future Iraqi provocations. The threat to Kuwait must be removed, and must not be repeated.

The Deputy Prime Minister of Iraq points out that Iraqi troops were on Iraqi soil last week. I remind the Council that Iraqi troops were on Iraqi soil on 1 August 1990, but on Kuwaiti soil on 2 August. The key difference between August 1990 and October 1994 is not the Iraqi attitude, but the resolute security response of the Member States cooperating with Kuwait.

It is preposterous to suggest that it was the intent of the drafters of Security Council resolution 687 (1991) to allow Saddam Hussein to regain the means for achieving his ambitions while remaining a threat to peace and regional stability. By his failure to comply with all relevant resolutions and by his actions this month, he has made it clear that he remains such a threat.

Let Saddam meet his obligations to this Council rather than seek a reward he has not earned. This Council can be proud of the actions it has taken since 1990 in response to Iraqi aggression and provocations. That record was embellished by the 15 to 0 vote on 15 October last. By sending a clear and consistent message that we mean what we say and will not settle for less, we can best assure that Iraq will not again be able to threaten the peace, and that it will comply fully with what the Council has mandated.

Finally, let me associate my Government with every aspect of the statement made by the Permanent Representative of the United Kingdom, most especially the questions asked and the final conclusion. Indeed, it is hard to imagine how the current Iraqi Government can continue in power while renouncing terrorism, stopping its repression of its own citizens and giving up its dreams of annexing the sovereign State of Kuwait.

The President: The Deputy Prime Minister of Iraq has asked to speak, and I call on him.

Mr. Aziz (Iraq) *(interpretation from Arabic):* Some of what has been said in this meeting by the representatives of the United States, of the United Kingdom and of Kuwait serve to highlight one important point: namely, who is it that truly wants to solve the problem and to establish security and stability in the region.

We spoke in this meeting in a logical and quiet manner and emphasized and underscored our desire to solve all problems in accordance with the resolutions of the Council and in accordance with the logic of fairness and justice. In addition, we voiced our desire to establish good relations with our neighbours, including the State of Kuwait, and we also spoke of our readiness to adopt confidence-building measures. I am certain that the members of the Security Council and all those present at this historic meeting will draw the right conclusions as to the position of Iraq and the position of those representatives to whom I have just referred.

The representative of the United Kingdom, who was supported by the representative of the United States, stressed very strongly, in his statement, the principles of sovereignty and respect for sovereignty. However, he allowed himself to breach those rules and principles and to talk about an internal matter that is part and parcel of the sovereignty of the State and people of Iraq.

Notwithstanding, I should like to emphasize what I said in my statement, namely that I will not respond to provocations that aim to divert this meeting from its objectives of continuing the diplomatic and political work of implementing the resolutions of the Security Council in a legal, fair and comprehensive manner - in a manner that would guarantee the rights and the legitimate interests of all parties concerned and would establish for them security, peace and stability.

The President: There are no further speakers inscribed on my list.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The Security Council will remain seized of the matter.

The meeting rose at 1.45 p.m.

United Nations S/PV.3440

Security Council

Forty-ninth Year

Provisional

3440th Meeting

Tuesday, 18 October 1994, 10.30 a.m.

New York

President:	Sir David Hannay	(United Kingdom of Great Britain and Northern Ireland)
Members:	Argentina	Mr. Zawels
	Brazil	Mr. Valle
	China	Mr. Li Zhaoxing
	Czech Republic	Mr. Fūle
	Djibouti	Mr. Dorani
	France	Mr. Mérimée
	New Zealand	Mr. Keating
	Nigeria	Mr. Egunsola
	Oman	Mr. Al-Khussaiby
	Pakistan	Mr. Marker
	Russian Federation	Mr. Sidorov
	Rwanda	Mr. Bakuramutsa
	Spain	Mr. Laclaustra
	United States of America	Mr. Hume

Agenda

Consideration of the draft report of the Security Council to the General Assembly

94-86708 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Section, room C-178.

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

Consideration of the draft report of the Security Council to the General Assembly

The President: The Council will now proceed to the consideration of its annual report to the General Assembly, the draft of which has been prepared by the Secretariat. I wish to note that, in accordance with the decisions taken in June 1994, this is the second instance in which the Council's report is considered in a public meeting.

I now call on the Director of the Security Council Affairs Division of the Secretariat to make an explanatory statement.

Ms. Bali: The draft annual report of the Security Council for the period from 16 June 1993 to 15 June 1994, to be submitted to the General Assembly of the United Nations in pursuance of paragraph 3 of Article 24 and paragraph 1 of Article 15 of the United Nations Charter, has been prepared by the Secretariat in line with the revised format agreed upon by the Security Council in 1974 and further revised in 1985, 1993 and 1994.

As requested by the Security Council, the current draft report contains a more detailed introduction. The draft report also contains two new appendices, namely, appendix VII, listing communications from the President of the Security Council or the Secretary-General, and appendix VIII, which lists the reports of the Secretary-General issued during the period covered by the report.

The draft report was circulated on 28 September 1994 to the current members of the Security Council and also to the respective members whose terms of office expired on 31 December 1993 - that is, Cape Verde, Hungary, Japan, Morocco and Venezuela - for their comments, if any. The corrigendum reflects comments received.

The President: I should like to express appreciation to the Secretariat for the work it has undertaken in preparing this factual report, which corresponds to the agreement by the members of the Council on the timely submission and format of the report, as reflected in the note by the President of the Security Council of 30 June 1993, document S/26015.

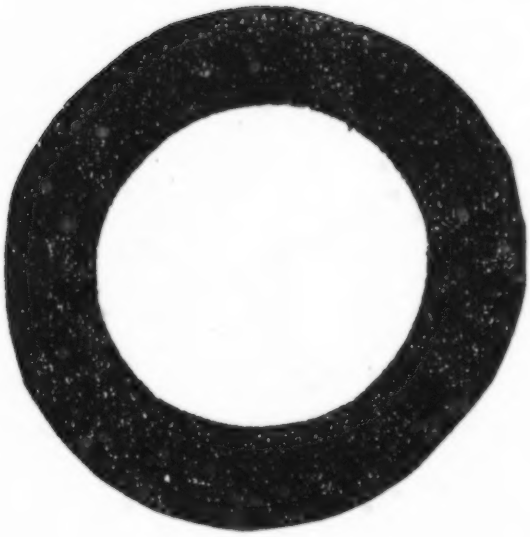
Members of the Council have before them the draft annual report of the Security Council to the General Assembly for the period 16 June 1993 to 15 June 1994, as circulated by the Assistant Secretary-General of the Department of Political Affairs on 28 September 1994, and corrigendum. May I take it that the draft report is adopted by the Council?

There being no objection, it is so decided.

This decision will be reflected in a note by the President of the Security Council, to be issued as document S/1994/1176.

The Security Council has thus concluded its consideration of the item on the agenda.

The meeting rose at 10.50 a.m.



United Nations S/PV.3441

Security Council

Forty-ninth Year

Provisional

3441st Meeting

Friday, 21 October 1994, 10.30

New York

President:	Sir David Hannay	(United Kingdom of Great Britain and Northern Ireland)
Members:	Argentina	Mr. Cárdenas
	Brazil	Mr. Sardenberg
	China	Mr. Li Zhaoxing
	Czech Republic	Mr. Rovensky
	Djibouti	Mr. Dorani
	France	Mr. Mérimée
	New Zealand	Ms. Wong
	Nigeria	Mr. Gambari
	Oman	Mr. Al-Khussaiby
	Pakistan	Mr. Marker
	Russian Federation	Mr. Lavrov
	Rwanda	Mr. Bakuramutsa
	Spain	Mr. Yañez-Barnuevo
	United States of America	Mr. Inderfurth

Agenda

The situation in Burundi

Report of the Secretary-General on the situation in Burundi (S/1994/1152)

94-86770 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Section, room C-178.

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Burundi

Report of the Secretary-General on the situation in Burundi (S/1994/1152)

The President: I should like to inform the Council that I have received a letter from the representative of Burundi, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Bukuru (Burundi) took a place at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the situation in Burundi, document S/1994/1152.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council has considered the situation in Burundi, on the basis of the Secretary-General's report (S/1994/1152). It recalls its earlier statements on this subject, most recently that made by the President of the Council on 25 August 1994 (S/PRST/1994/47). It warmly welcomes the election and swearing in of the President, the confirmation in office of the Prime Minister, and the formation of the new coalition Government. It believes that this represents an important step forward in the stabilization of the situation in Burundi. It calls upon all parties in Burundi to cooperate in the work of re-establishing democracy and stability.

"The Security Council remains concerned that, despite the important political progress that has been made, much remains to be done if the climate of insecurity described by the Secretary-General in his report is to be dispelled and the country set firmly on the path of reconciliation and reconstruction. The Council deplores the fact that extremist elements continue to threaten national reconciliation, including through the operation of a clandestine radio station inciting ethnic hatred and violence. It reaffirms the importance of bringing to justice those responsible for the coup of 21 October 1993 and subsequent interethnic massacres and other violations of international humanitarian law. In this regard, it also encourages the Secretary-General to pursue his suggestion that United Nations assistance be provided to the Government of Burundi in strengthening its judicial system.

"The Security Council commends the role played by the Special Representative of the Secretary-General, including in helping the new coalition Government to organize a national debate early in 1995 on the problems of relations between the two communities. The Council attaches importance to the success of this initiative. In this regard, it welcomes the Secretary-General's intention to strengthen the office of the Special Representative.

"The Security Council believes the international community must continue to give priority to the restoration of stability and the promotion of national reconciliation in Burundi. In this context, it recognizes the work of the High Commissioner for Human Rights and the office he has established in Burundi, and notes the important role human-rights monitors might play. It welcomes the recent increase in the number of Organization of African Unity (OAU) military observers in Burundi. It encourages the OAU, United Nations agencies and Member States to continue their involvement in Burundi and to intensify political contacts and visits. It notes the importance of increased technical assistance from the international community as the coalition Government tackles the critical tasks of reconciliation and reconstruction.

"The Council remains deeply concerned at the plight of refugees and displaced persons in Burundi. It commends the continuing efforts of the High Commissioner for Refugees and other humanitarian bodies to address this problem. It welcomes the Secretary-General's sending of a Special Envoy to study the refugee crisis from a regional perspective and looks forward to any recommendations that the Secretary-General may have as a result of that initiative.

"The Council calls on the authorities and all parties in Burundi to ensure the safety and security of all personnel involved in the relief efforts and other international personnel.

"In the statement made by the President of the Security Council on 14 October (S/PRST/1994/59) on the situation in Rwanda, the Council encouraged the Secretary-General to pursue consultations as to how the United Nations can assist in the preparation and convening of an international conference to look into the problems of the subregion. The Council believes that the holding of such a conference would be of real value in the context of Burundi.

"The Security Council stands ready to consider further any detailed proposals which the Secretary-General may have. The Security Council will remain actively seized of the matter."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1994/60.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 10.50 a.m.

United Nations S/PV.3442

Security Council

Forty-ninth Year

Provisional

3442nd Meeting
Friday, 21 October 1994, 10.50 a.m.
New York

President:	Sir David Hannay	(United Kingdom of Great Britain and Northern Ireland)
Members:	Argentina	Mr. Cárdenas
	Brazil	Mr. Sardenberg
	China	Mr. Li Zhaoxing
	Czech Republic	Mr. Rovensky
	Djibouti	Mr. Dorani
	France	Mr. Mérimée
	New Zealand	Ms. Wong
	Nigeria	Mr. Gambari
	Oman	Mr. Al-Khussaiby
	Pakistan	Mr. Marker
	Russian Federation	Mr. Fedotov
	Rwanda	Mr. Bakuramutsa
	Spain	Mr. Yañez-Barnuevo
	United States of America	Mr. Inderfurth

Agenda

The situation in Liberia

Seventh progress report of the Secretary-General on the United Nations Observer Mission in Liberia (UNOMIL) (S/1994/1167)

94-86776 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Section, room C-178.

The meeting was called to order at 10.50 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Liberia

Seventh progress report of the Secretary-General on the United Nations Observer Mission in Liberia (UNOMIL) (S/1994/1167)

The President: I should like to inform the Council that I have received a letter from the representative of Liberia, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Bull (Liberia) took a place at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the seventh progress report of the Secretary-General on the United Nations Observer Mission in Liberia, document S/1994/1167.

Members also have before them document S/1994/1187, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to draw the attention of the members of the Council to document S/1994/1174, which contains the text of a letter dated 14 October 1994 from the Permanent Representative of Ghana to the United Nations addressed to the President of the Security Council, transmitting the text of the Akosombo agreement of 12 September 1994.

The first speaker is the representative of Liberia, on whom I now call.

Mr. Bull (Liberia): I should like to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of October. Already midway through your tenure, the Security Council has recorded two notable accomplishments: the return of President Jean-Bertrand Aristide to Haiti, with the promise of the restoration of democracy to that country; and thwarting the imminent threat posed to the territorial integrity and sovereignty of Kuwait by the massive troop build-up by Iraq. We are therefore assured that your skilful handling of the Council's affairs thus far will yield further positive results.

My delegation expresses its gratitude to Ambassador Yañez Barnuevo of Spain for his excellent stewardship of the Security Council during the month just past.

We welcome the comprehensive and lucid report, in document S/1994/1167 of 14 October 1994 of Secretary-General Boutros Boutros-Ghali on the activities of the United Nations Observer Mission in Liberia (UNOMIL). We thank him most sincerely for his continuing search for peace and normalcy in Liberia, which, in spite of the present setbacks, is enabling us Liberians to chart the future peaceful course of our country.

It is indeed saddening that, after five years of a brutish war and the unceasing commendable efforts of the leaders of the Economic Community of West African States (ECOWAS) and the international community to end the totally unnecessary carnage and destruction of property in my country, Liberia, peace seems to be a distant goal, if not a pipe dream. We wonder why a once-peaceful and respected founding Member of the United Nations cannot pull itself together and emerge from the throes of war. We ask all of the warlords: What purpose is served by slaughtering innocent civilians, particularly women and children? Who do the warlords hope to govern when more than one third of Liberia's population is living outside the country as refugees, when basic infrastructure is destroyed and when their fellow compatriots are scorned?

We acknowledge that it is a Liberian problem and that if our imperilled nation is to survive, Liberians must reconcile their differences. It must be recorded, however, that forces external to the Liberian conflict continue to aid and abet the warlords through the supply of weapons and other material support. Those forces also provide safe havens for these warlords. Well-meaning Liberians are of the view that once such

underpinnings are removed, those agents of death will be constrained to pursue constructive dialogue and national reconciliation as the better alternative to war. We therefore appeal to those who provide sanctuary and support to the warlords to discontinue such actions.

The ECOWAS Military Observer Group (ECOMOG) has continued to play a most constructive role in the peace process, and we remain grateful to ECOWAS and to the troop-contributing countries for their sacrificial services to Liberia at this stage in our history. The recent attempted *coup d'état* by certain elements of the armed forces of Liberia and the successful foiling of that plot by ECOMOG only accentuate the necessity for the international community to support ECOMOG and also to remain engaged in Liberia until peaceful change is achieved.

My delegation joins the Secretary-General and the Security Council in the appeal for increased financial assistance to the Trust Fund for Liberia to enable ECOMOG to fulfil its mandate. We appeal also for assistance to address the urgent humanitarian needs that have arisen as a result of the recent escalation of fighting in Liberia.

The Liberian National Transitional Government has taken into account the recommendations of the National Conference and is cooperating with President Jerry Rawlings of Ghana, current Chairman of ECOWAS, in an effort to advance the peace process. Consultations are being held with leaders of the various factions with the objective of halting the recent upsurge in fighting and reinstituting the cease-fire. The Liberian National Transitional Government, which is composed of representatives from the factions, desires to consolidate control of the entire country, repatriate and resettle refugees and prepare the country for general and presidential elections.

The presence in Liberia of the United Nations Observer Mission is indispensable to the peaceful resolution of the Liberian conflict. In this post-cold-war era, the laudable and pioneering efforts of the United Nations in collaborating with a subregional organization in conflict resolution must not be allowed to fail because of a lack of resolve by the international community. The overwhelming majority of Liberians, the innocent victims of the conflict, are relying on and deserve the goodwill and support of the international community to help end their suffering.

The Security Council has the responsibility to prevent threats to international peace and security. The Liberian conflict has long ceased to be an internal matter. It has heightened the possibility of creating instability in the West African subregion and has repercussions beyond the subregion. Other regions of Africa are similarly distressed. African conflicts, like others, deserve the full attention of the Security Council. Only a policy of empathetic inclusion can propel humankind towards its cherished dream of peace and social progress. Liberia needs that empathy now.

The draft resolution before the Council addresses some of my Government's concerns. I therefore commend it to the Council and request its unanimous adoption.

The President: It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. If I hear no objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Gambari (Nigeria): The political and security situation in Liberia is precarious, and this has been especially true in the past few months. This grim state of affairs, following the escalation of inter- and intra-factional fighting, has not only resulted in a desperate humanitarian situation but has virtually stalled the Liberian peace process. The tenuous situation in Liberia was clearly underscored recently by the unfortunate abduction of United Nations Observer Mission in Liberia (UNOMIL) personnel and by the attempted *coup d'état*, which, but for the swift and effective intervention of the Economic Community of West African States (ECOWAS) Military Observer Group (ECOMOG), would have plunged the country into complete anarchy.

We all face in Liberia a stark choice between, on the one hand, abandonment and despair, and on the other, the wisdom and courage to support a unique regional initiative, the first of its kind, perhaps, in our continent. Will the international community remain lukewarm towards ECOMOG or support this regional effort to head off a crisis capable of threatening peace and security, which the Charter of the United Nations commits all of us - and I mean all of us - to try to prevent?

Unlike in the crises in the Horn of Africa and in Central Africa - Somalia and Rwanda, respectively - where there were no clear-cut regional initiatives, as there is in Liberia, ECOMOG has truly made the difference between a certain order, however precarious, and total chaos. None the less, without adequate international financial and logistical support, ECOMOG's efforts to establish peace in Liberia may soon come to an abrupt end. Yet the international community, unfortunately, has not responded to the repeated appeals of the Secretary-General and the Security Council to make the necessary financial contributions and to provide the kind of logistical support that would enable ECOMOG to carry out its responsibilities in accordance with the Cotonou Agreement and thus accelerate the peace process in Liberia. As the Secretary-General pointed out in a previous report, ECOMOG, with its current financial and logistical base, cannot fully deploy throughout the territory in Liberia.

My delegation wishes to reiterate its strong belief that the best way forward and the most helpful action that could be taken by the international community for Liberia would be to provide the much-needed support that would enable ECOMOG, both original and expanded, to carry out the mandate contained in the Cotonou Agreement. ECOMOG must be enabled to execute its mandate of encamping, disarming and demobilizing the Liberian factions so that the remaining processes leading to the holding of democratic elections in Liberia can be achieved.

At this point in the evolution of the peace process, the Liberia factions, who alone must bear full responsibility for its continuing lack of progress, should be made to realize the futility of further intransigence and the necessity to opt for dialogue and peace, and to do so soon. The patience of the leaders of the subregion and of the international community as a whole is almost completely exhausted. In this connection, Nigeria believes that the best chance of moving the peace process forward lies in finding new ways of making the existing Cotonou Agreement work rather than in arguing about yet another problematic accord or agreement.

Having made all those observations, however, my delegation will vote in favour of the present draft resolution for four main reasons.

First, the draft resolution extends the mandate of the United Nations Observer Mission in Liberia (UNOMIL) for a three-month period, an action which is a sign that despite frustration and the lack of sufficient progress in the Liberian peace process, the international community is prepared to continue to assist Liberians until peace is achieved. We therefore hope and expect that this commitment on the part of the international community will find concrete expression in terms of new financial and logistical support for ECOMOG forces in Liberia.

Secondly, the draft resolution reiterates the call, which this Council has made in previous resolutions, for the full application of an arms embargo on the Liberian warring parties. We feel that the continued violation of the embargo has been largely responsible for fueling the crisis. We commend this provision of the draft resolution.

Thirdly, the draft resolution reiterates the several calls made in the past to all Liberian factions to cease hostilities immediately and to agree to a new timetable for disengagement of forces, disarmament and demobilization, as they have already committed themselves to do under the Cotonou Agreement, which in our opinion is still the most valid framework for peace in Liberia.

The fourth reason why we shall support the draft resolution is that it calls upon Member States to provide support for the peace effort through contributions to the United Nations Trust Fund for Liberia. In this connection it is necessary to mention that several States, including my own, that are contributing troops to the Cease-fire Monitoring Group (ECOMOG) have served notice that without new financial assistance they will seriously consider withdrawing their troops from Liberia. Because of the likely tragic consequences of a general withdrawal of these troops from Liberia at this time and the resulting negative consequences for peace in the country and even throughout the subregion, we sincerely hope that the international community will act to prevent such an eventuality — which is a real possibility.

My delegation has reservations concerning the reduction in the strength of UNOMIL and the setting of new conditions for future augmentation of the UNOMIL presence in Liberia. We feel that it would be wiser to allow the Secretary-General, as we have done in almost every other case, to use his discretion to continue to deploy UNOMIL personnel as and when appropriate.

The President: The Security Council will now proceed to the vote on the draft resolution contained in document S/1994/1187.

A vote was taken by show of hands.

In favour:

Argentina, Brazil, China, Czech Republic, Djibouti, France, New Zealand, Nigeria, Oman, Pakistan, Russian Federation, Rwanda, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 950 (1994).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Sardenberg (Brazil): When resolution 911 (1994) was adopted in 21 April 1994, my delegation expressed satisfaction over the encouraging steps taken at the time by the Liberian parties on the implementation of the Cotonou Agreement. Today, however, recent events described in the report of the Secretary-General dated 14 October 1994 lead us to recognize the volatility and grave seriousness of the situation in Liberia.

Liberian parties must realize that there is no military alternative that can solve their political differences. Only by means of true political negotiation will the country regain the stability required for the peace process to move forward. Yet some Liberian factions have failed to demonstrate commitment and political will for the implementation of the Cotonou Agreement.

The leaders of the Liberian parties must realize that their stalemate not only affects their country but also has an adverse impact on the stability of Liberia's neighbours and on that of the entire subregion. Furthermore, the lack of progress on national reconciliation leads to the deterioration of the security situation in the country, the ultimate result of which is an increase in the suffering of the Liberian people.

Although the current prospects for national reconciliation are bleak, political events that have taken place recently may give us some encouragement. We believe that the meeting of the leaders of the warring factions sponsored by the President of Ghana, current Chairman of the Economic Community of West African States (ECOWAS), the subsequent Akosombo Agreement, and the Liberian National Conference will have a positive impact on the overall peace process.

While we welcome these developments, we stress the need for the decisions taken to be implemented without delay so that the process of national reconciliation can regain much-needed momentum. Dialogue between the parties must proceed if political accommodation is to be found within the framework of the Cotonou Agreement, which continues to be the only framework for peace in Liberia.

In paragraph 3 of the resolution we have just adopted the Council recognizes that circumstances on the ground warranted a reduction of the strength of the United Nations Observer Mission in Liberia (UNOMIL). This decision falls entirely within the purview of the Secretary-General's responsibilities. We should not lose sight of the fact that this "temporary measure", as it is described in paragraph 33 of the report of the Secretary-General (S/1994/1167), was adopted in view of the lack of security in some parts of Liberia. It is certainly the Secretary-General's prerogative to take decisions on force strength, provided that they do not violate the authorized level determined by the Security Council.

Since resolution 950 (1994), which we have just adopted, does not provide for a change in the force level or concept of operation of UNOMIL, a decision by the Secretary-General to re-establish the number of UNOMIL military observers should not require specific authorization from the Council. It is our view that the Council should be consistent. It is undeniable that circumstances sometimes require changes or adaptations of mandates in the light of new realities. In this particular case, however, since UNOMIL has not been altered, there should not be a change in the mandate or the concept of the Mission, with the imposition of non-existent conditionalities.

We welcome the decision of the Secretary-General to dispatch a high-level mission to consult with the leadership of the Economic Community of West African States (ECOWAS) with a view to determining how the international community can continue to contribute to ongoing efforts to bring peace and stability to Liberia. We look forward to considering its report and recommendations.

My delegation voted in favour of resolution 950 (1994) because it represents yet another earnest attempt by the international community to contribute to the peace process in Liberia. We are convinced that, despite delays in the national reconciliation process, the Security Council should continue to lend its support to efforts to bring all parties in Liberia together in order to create an

environment conducive to peace and stability in that country.

In conclusion, we would like to congratulate the Special Representative of the Secretary-General for the very fine job he has been doing. We also wish to recognize the contribution of ECOWAS, in particular its current Chairman, President Jerry Rawlings of Ghana, as well as of the ECOMOG troop contributors, which are sparing no efforts to enhance the chances of peace in Liberia.

Mr. Inderfurth (United States of America): The political future of Liberia depends on Liberians. Despite the commendable diplomatic efforts to bring the Liberian factions together made by the current Chairman of the Economic Community of West African States (ECOWAS), Ghanaian President Rawlings, which we fully support, there is thus far no peace in Liberia. Despite the commendable efforts of Nigerian, Tanzanian, Ugandan and other forces of the Cease-fire Monitoring Group (ECOMOG) of ECOWAS to provide security, Liberia is still engulfed in civil war.

The United Nations Observer Mission in Liberia (UNOMIL) was sent in as an observer mission to observe a cease-fire. But the firing has not ceased. Instead, UNOMIL observers have been abused and humiliated by the warlords whose country they came to protect. Humanitarian relief workers came to help. Yet they have been harassed and treated inhumanely.

The Secretary-General was right to pull out two thirds of the UNOMIL observers in Liberia. They should not go back until there is a real cease-fire, assumption of real authority by a transitional Government and a commitment to disarmament by all the factions. In our view, given the precarious situation in Liberia, they should not go back until the Security Council decides to send them back. We note in this regard that the resolution states, in paragraph 3, that:

> "any decision to return [UNOMIL] to the authorized level will depend on consideration by the Security Council of a further report from the Secretary-General reflecting a real improvement in the situation on the ground, in particular the security situation".

We have hope for Liberia. The extension of the mandate of UNOMIL is an expression of our hope. But it is a hope that can only be fulfilled by the determination of the people of Liberia to say "No" to civil war, by a commitment of all Liberians to peace.

Mr. Mérimée (France)(*interpretation from French*): France voted in favour of extending the mandate of the United Nations Observer Mission in Liberia (UNOMIL) until 13 January 1995 and approves the Secretary-General's conclusions set forth in his seventh progress report on UNOMIL. The sending of a high-level mission to consult with States members of the Economic Community of West African States (ECOWAS) on redefining the respective roles of UNOMIL and the ECOWAS Cease-fire Monitoring Group (ECOMOG) in Liberia — we approve that proposal of the Secretary-General — as well as the various diplomatic initiatives we may expect by the end of the year justify an extension of UNOMIL's mandate.

However, this extension has been limited to the time deemed necessary finally to secure implementation of a peace process in Liberia. We must not forget that it is in the first instance up to the Liberian parties and that country's people to be the true creators of national reconciliation and to establish a lasting peace. The signing of agreements accepted by all the Liberian factions — the Cotonou Agreement, in particular, but also the Akosombo Agreement, on which the Chairman of ECOWAS has expended much effort — has been encouraging in this respect. However, recent events have shown that much remains to be done.

The parties must truly respect those agreements. The immediate restoration of the cease-fire, the disarming of the factions and institutional changes called for by the agreements will make it possible to envisage a resumption of the electoral process. I would add that human rights must be respected in Liberia, fully and scrupulously.

Otherwise, given the deterioration of the security of personnel of international organizations, especially humanitarian organizations, it will finally no longer be possible for the international community to assist the Liberians in their search for peace within their borders. The extension of the UNOMIL mandate must therefore be a signal to the parties to engage, in good faith and unremittingly, in the peace process in Liberia.

Mr. Cárdenas (Argentina) (*interpretation from Spanish*): I should like at the outset to thank the Secretary-General for his comprehensive report on the situation in Liberia.

The situation described causes us great concern about the continuation of hostilities. Moreover, the emergence of new factions makes it even more difficult

to implement the necessary agreements and increases the climate of insecurity and instability to which the military observers of the United Nations Observer Mission in Liberia (UNOMIL) and the personnel of other international organizations working in Liberia are being subjected. This has made it difficult for UNOMIL to discharge its mandate effectively and has necessitated a temporary reduction in its strength.

In view of the prevailing insecurity, we believe it right to extend UNOMIL's mandate until 13 January 1995. The increased insecurity and instability have also led to a 50 per cent reduction in the international staff of relief organizations, which means that the country's considerable humanitarian needs are not being adequately met.

We also view with deep concern the intention expressed by some contributors of troops to the Economic Community of West African States (ECOWAS) Cease-fire Monitoring Group (ECOMOG) to withdraw their contingents from the Group. We can understand their position, the result of serious supply problems and the lack of any concrete political progress in Liberia. Accordingly, we view as especially timely the Secretary-General's proposal to send a high-level mission to consult with States members of ECOWAS on how the international community can best continue to assist the peace process in Liberia.

Lastly, we would urge all factions in Liberia to come together in order to reach a political solution, and to work jointly for national reconciliation. The success of that common endeavour is the key to their future.

We commend the efforts to restore peace to Liberia being made by the countries contributing troops to UNOMIL and ECOMOG, by humanitarian organizations and by Member States that have contributed to the United Nations Trust Fund for Liberia.

Mr. Fedotov (Russian Federation) (*interpretation from Russian*): The Russian Federation is deeply concerned at the complex situation in Liberia and the constant fighting there, which has not only stalled the peace process in that country and led to a severe deterioration in the already difficult humanitarian situation of its people, but has also had a destabilizing influence on the entire subregion.

We find absolutely unacceptable attacks by armed Liberian factions against the personnel of the United Nations Observer Mission in Liberia (UNOMIL), the Economic Community of West Africa States (ECOWAS) Cease-fire Monitoring Group (ECOMOG) and other international organizations, and we resolutely condemn such actions.

The Russian delegation voted in favour of the resolution adopted today, which provides for the extension of UNOMIL's mandate, because we believe it sends a clear signal to the Liberian factions that the present stagnation of the peace process is unacceptable. It also shows that the Security Council intends to take developments in the situation into account and to adjust its activities accordingly - this assessment will include the question of the United Nations presence in that country - if the contending factions do not take rapid and effective steps towards a peaceful settlement.

We regard it as highly important that the resolution calls upon all States strictly to abide by and comply with the general and complete embargo on all deliveries of weapons and military equipment to Liberia. We are convinced that the Liberian conflict cannot be settled militarily and that a settlement can be reached only through a reactivation of the process of national reconciliation on the basis of existing political agreements. In this connection, we attach particular importance to close coordination of United Nations activities with those of the regional organization, ECOWAS, which we are convinced has far from exhausted the opportunities for normalizing the situation in Liberia and leading that country towards a solid political settlement.

The President: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.30 a.m.

United Nations S/PV.3443

Security Council
Forty-ninth Year

Provisional

3443rd Meeting
Friday, 21 October 1994, 11.30 a.m.
New York

President:	Sir David Hannay	(United Kingdom of Great Britain and Northern Ireland)
Members:	Argentina	Mr. Cárdenas
	Brazil	Mr. Sardenberg
	China	Mr. He Yafei
	Czech Republic	Mr. Rovensky
	Djibouti	Mr. Dorani
	France	Mr. Mérimée
	New Zealand	Ms. Wong
	Nigeria	Mr. Gambari
	Oman	Mr. Al-Sameen
	Pakistan	Mr. Marker
	Russian Federation	Mr. Fedotov
	Rwanda	Mr. Bakuramutsa
	Spain	Mr. Yañez-Barnuevo
	United States of America	Mr. Inderfurth

Agenda

Date of an election to fill a vacancy in the International Court of Justice (S/1994/1188)

94-86782 (E)

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The meeting was called to order at 11.30 a.m.

Adoption of the agenda

The agenda was adopted.

Date of an election to fill a vacancy in the International Court of Justice (S/1994/1188)

The President: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/1994/1188, which contains a note dated 20 October 1994 by the Secretary-General concerning the date of an election to fill a vacancy in the International Court of Justice. This note explains the need for this item on our agenda.

The recent death, on 28 September 1994, of Judge Nikolai Konstantinovitch Tarassov has created a vacancy in the International Court of Justice which has to be filled. Judge Tarassov, a member of the International Court of Justice, had a long and distinguished career in the service of the Court and of his country in the field of international law and diplomacy. He represented the former USSR in numerous United Nations bodies. From 1968 to 1972, he was a member of the Commission on Human Rights and the Committee for Sanctions against Southern Rhodesia. He was also a member of the USSR delegation to numerous sessions of the General Assembly, including the fifth special session on South-West Africa, in 1967, and the fifth emergency special session on the Arab-Israeli conflict, in 1967.

In his personal capacity, he served with distinction as a member of the Committee for the Elimination of Racial Discrimination, as well as of the International Civil Service Advisory Board from 1970 to 1972. Judge Tarassov was also head of the USSR delegation to the Vienna talks on mutual reductions of force and armaments in Central Europe from 1976 to 1981. He was a distinguished member of the Russian International Law Association.

Judge Tarassov was indeed a most distinguished international lawyer and jurist, and an eminent judge. His loss has been deeply felt by the Government and people of the Russian Federation, by the International Court of Justice and by the international community as a whole. I am sure that I am expressing the sentiments of all members of the Council in extending sincere condolences to the President of the Court, to the Government of the Russian Federation and to the bereaved family of Judge Nikolai Konstantinovitch Tarassov.

Judge Tarassov was elected as a member of the International Court of Justice on 9 December 1985. He was re-elected as of 6 February 1988 for a further period of nine years. His term of office would have expired on 5 February 1997.

Under Article 14 of the Statute of the International Court of Justice, the Security Council is to fix the date for the election to fill the vacancy in the Court.

As I reported to members during our prior consultations on this matter, the election should take place on 26 January 1995 at a meeting of the Security Council, and at a meeting of the General Assembly at its forty-ninth session.

Members of the Council have before them document S/1994/1189, which contains the text of a draft resolution prepared in the course of the Council's consultations. May I take it that the Council is ready to proceed to a decision on the draft resolution?

There being no objection, it is so decided.

In the light of the consultations which I have held, it is my understanding that the Council is ready to adopt the draft resolution contained in document S/1994/1189 without a vote.

There being no objection, it is so decided.

The draft resolution has been adopted as resolution 951 (1994).

The Security Council has thus concluded its consideration of the item on the agenda.

The meeting rose at 11.35 a.m.